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TOSEC 348

E.O. 11652: N/A

TAGS: PFOR, US, SA, OVIP (KISSINGER, HENRY A.)

SUBJECT: QUESTIONS AND ANSWERS FOR BOYCOTT HEARING

FOR ATHERTON FROM SOBER

REF: STATE 52820

1. THE FOLLOWING Q'S AND A'S, WHICH CAME OUT OF MY
DISCUSSIONS WITH AMBASSADOR DAVIS AND HIS STAFF HAVE BEEN
CLEARED BY DIR GEN OFFICE.

A.Q WHAT ARE THE STATE DEPARTMENT'S PROCEDURES FOR SELECTING
PERSONNEL FOR ASSIGNMENT?

A.CANDIDATES FOR POSITIONS ARE CONSIDERED ON THE BASIS
OF THEIR INDICATED INTEREST, AREAS OF QUALIFICATION
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(POLITICAL, CONSULAR, ETC.), SPECIFIC EXPERIENCE OR OTHER

PREPARATION, AND SKILLS SUCH AS LANGUAGE OR TECHNICAL COMPETENCE. INTERESTED OFFICES OR AMBASSADORS ARE OFTEN INVITED TO COMMENT ON PROPOSED ASSIGNMENTS. SELECTIONS ARE THEN FORMALLY APPROVED BY AN OFFICIAL PANEL. THE PANEL AMONG OTHER THINGS, ASSURES THAT EACH ASSIGNMENT MEETS REGULATORY AND OTHER REQUIREMENTS INCLUDING, FOR EXAMPLE, THE PROHIBITION ON DISCRIMINATION ON THE BASIS

OF SEX, RACE, RELIGION, ETC.

B. Q: WHEN DOES THE NEA BUREAU OR THE EMBASSY MAKE THEIR VIEWS COME INTO PLAY IN THE ASSIGNMENT PROCESS?

A: NEA BUREAU AND EMBASSY VIEWS ARE WELCOMED AT ANY STAGE OF THE ASSIGNMENT PROCESS. NOT INFREQUENTLY, THE BUREAU OR AN EMBASSY MAY ITSELF PROPOSE A CANDIDATE FOR A GIVEN POSITION BASED ON A KNOWLEDGE OF SPECIAL QUALIFICATIONS OR FAMILIARITY WITH THE INDIVIDUAL. FINALLY, PERSONNEL OBTAINS BUREAU CONCURRENCE IN ALL OFFICER ASSIGNMENTS AND IN SOME STAFF ASSIGNMENTS, THOUGH THIS IS USUALLY IN THE FORM OF "NO OBJECTION" TO PERSONNEL'S CANDIDATE.

C. Q: ISN'T IT LIKELY THAT THE DEPARTMENT OF STATE WOULD PREVENT THE ASSIGNMENT OF A JEWISH OFFICER TO A COUNTRY KNOWN TO BE HOSTILE TO JEWS IN THE VIEW THAT HE WOULD BE RELATIVELY INEFFECTIVE THERE?

A: NO. IT IS MUCH MORE LIKELY THAT WE WOULD HAVE NO JEWISH CANDIDATES. JEWISH OFFICERS, IN GENERAL, HAVE DECLINED TO SEEK ASSIGNMENTS TO COUNTRIES KNOWN TO BE HOSTILE TO JEWS. THE DEPARTMENT WOULD NOT "PREVENT" SUCH ASSIGNMENTS, BUT IT IS AWARE AS ARE ITS OFFICERS OF THE DISADVANTAGE SERVING IN A COUNTRY HOSTILE TO JEWS, ASSUMING THEY COULD OBTAIN VISAS AND BE ADMITTED TO THAT COUNTRY. IF A JEWISH EMPLOYEE SOUGHT ASSIGNMENT TO A POST IN AN ARAB COUNTRY FOR WHICH HE WAS THE BEST QUALIFIED WE WOULD MAKE THE ASSIGNMENT. IF THE GOVERNMENT OF THAT COUNTRY THEN REFUSED A VISA TO THAT PERSON, WE WOULD OBJECT TO THAT ACTION. HOWEVER, WE WOULD HAVE NO WAY OF LIMITED OFFICIAL USE

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FORCING THE ASSIGNMENT.

D. Q: IF OFFICERS ARE SELECTED ON THE BASIS OF THEIR BACKGROUND AND EXPERIENCE, ISN'T THIS A "GRAND-FATHER CLAUSE" WHICH EFFECTIVELY EXCLUDES PERSONS FROM SERVING IN COUNTRIES WHERE THEY HAVE NOT SERVED HISTORICALLY?

A: NO. A LARGE PERCENTAGE OF POSITIONS IN POSTS ABROAD DO NOT REQUIRE AREA EXPERIENCE. EVEN WHERE AREA EXPERTISE IS CALLED FOR, IT MAY BE OBTAINED THROUGH UNIVERSITY OR OTHER TRAINING, OR THROUGH SERVICE IN ANOTHER, BUT RELATED, AREA. FOR EXAMPLE, SERVICE IN PARTS OF LATIN AMERICA IS HELPFUL FOR DUTY IN SPAIN. SERVICE IN SOME NON-ARAB MIDDLE EASTERN COUNTRIES MAY BE USEFUL AS BACKGROUND FOR SERVICE IN THE ARAB WORLD.

E. Q: ARE YOU GOING TO TELL ME THAT THE DEPARTMENT IS GOING TO WAIT UNTIL A JEWISH FSO ASKS TO BE ASSIGNED TO SAUDI ARABIA? WHAT ABOUT THE ASSIGNMENT OF A BLACK FSO TO SOUTH AFRICA?

A: THE DEPARTMENT TRIES TO AVOID ASSIGNING OFFICERS TO POSTS AGAINST THEIR WILL. I DO NOT BELIEVE MR. BAKER WOULD HAVE BEEN ASSIGNED TO SOUTH AFRICA HAD HE NOT APPLIED FOR THE ASSIGNMENT. IF AN APPLICANT MET THE QUALIFICATIONS FOR ASSIGNMENT, HE WOULD BE SELECTED WITHOUT REFERENCE TO ANY RELIGIOUS AFFILIATION.

F. Q: HAS THE DEPARTMENT ASSIGNED A JEWISH FOREIGN SERVICE OFFICER TO SAUDI ARABIA OR ARE ANY JEWISH FSOS SERVING IN SAUDI ARABIA?

A: WE CANNOT CATEGORICALLY ANSWER THIS QUESTION BECAUSE OUR PERSONNEL RECORDS DO NOT INDICATE THE RELIGIOUS CONVICTIONS OF INDIVIDUAL OFFICERS. IN PLAIN FACT, WE BELIEVE THERE ARE NONE AND PROBABLY NONE HAVE SERVED IN RECENT YEARS IN SAUDI ARABIA. I ASSUME THAT JEWISH FSO'S HAVE RARELY, IF EVER, SOUGHT ASSIGNMENT IN SAUDI ARABIA BECAUSE OF OBVIOUS AND JUSTIFIED CONCERN THAT PROFESSIONALLY AND SOCIALLY, THEY WOULD BE SEVERELY HAMPERED IN LIMITED OFFICIAL USE

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THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

G: Q: WOULD THE DEPARTMENT ASSIGN A JEWISH FSO TO SAUDI ARABIA IF ONE APPLIED FOR SUCH ASSIGNMENT?

A: CONSISTENT WITH ITS REGULATIONS, THE DEPARTMENT WOULD CONSIDER THE OFFICER'S APPLICATION ON ITS MERITS WITHOUT REGARD TO HIS RELIGIOUS AFFILIATION.

H: Q: WHAT KIND OF PERSONNEL POLICY DOES THE STATE DEPARTMENT FOLLOW IN DECIDING WHICH AMERICAN PERSONNEL IT WILL ASSIGN TO COUNTRIES LIKE SAUDI ARABIA WHICH PRACTICE RELIGIOUS DISCRIMINATION?

A: THE DEPARTMENT OF STATE PURSUES A NON-DISCRIMINA-

TORY POLICY IN ASSIGNING ITS PERSONNEL OVERSEAS. NO POST IN THE FIELD AND NO OFFICE IN STATE, AID, OR USIA CAN REFUSE THE ASSIGNMENT OF AN EMPLOYEE ON BASIS OF RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN.

THIS IS OUR POLICY. IF ONE OF OUR PERSONNEL WERE SELECTED FOR ASSIGNMENT TO A FOREIGN COUNTRY AND THAT

COUNTRY REFUSES TO ISSUE THEM A VISA WE WOULD PROTEST THE REFUSAL. IF WE WERE UNABLE TO CONVINCE THE OTHER GOVERNMENT TO ALTER ITS DECISION, WE WOULD REASSIGN THE OFFICER TO ANOTHER POST RATHER THAN KEEP HIM IN LIMBO. THIS DECISION WOULD NOT BE BASED UPON ANY IMPLIED ACCEPTANCE OF THE PREJUDICES OF THE COUNTRY PRACTICING DISCRIMINATION, BUT WOULD BE A PRAGMATIC DECISION REFLECTING OUR CONCERN FOR THE OFFICER'S CAREER..

2. HERE IS ONE ADDITIONAL QUESTION AND ANSWER:

Q: DO YOU BELIEVE EXISTING LEGISLATION AS EMBODIED IN THE EXPORT ADMINISTRATION ACT HAS BEEN EFFECTIVE IN DEALING WITH THE ARAB BOYCOTT? COULD THERE NOT BE AN IMPROVEMENT?

A: IT IS MY IMPRESSION THAT THE ACT HAS SERVED A USEFUL PURPOSE. I WOULD DEFER, FOR THE TIME BEING, TO LIMITED OFFICIAL USE

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THE COMMERCE DEPARTMENT WITNESS ON A FURTHER COMMENT ON THE FIRST QUESTION, HAVING IN MIND THAT COMMERCE ADMINISTERS THE ACT IN QUESTION. AS TO THE SECOND QUESTION, THE MATTER WOULD REQUIRE CAREFUL STUDY. QUESTIONS WE WOULD HAVE TO EXAMINE WOULD INCLUDE THE FOLLOWING: (A) WOULD NEW LEGISLATION ACTUALLY CURB THE BOYCOTT;(B) TO WHAT EXTENT WOULD IT AFFECT AMERICAN EXPORTS? (C) HOW MIGHT IT AFFECT OUR ABILITY TO HELP THE COUNTRIES IN THE MIDDLE EAST TO MOVE TOWARD A JUST AND LASTING PEACE?

3. WILL APPRECIATE YOUR COMMENTS ON ABOVE AS WELL AS ON DRAFT STATEMENT AND QUESTIONS AND ANSWERS PREVIOUSLY SENT BY REF TEL.
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